



Cosatu vows strike as talks over labour brokers stall

A deadlock between the government, business and labour has been reached over the treatment of "atypical" employees — particularly those employed through labour brokers

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THE Congress of South African Trade Unions (Cosatu) is gearing up for a strike over labour brokers as talks at the National Economic Development and Labour Council (Nedlac) to reform labour laws look like ending without agreement.

A deadlock between the government, business and labour, which have been negotiating amendments to four labour laws for more than a year, has been reached over the treatment of "atypical" employees — particularly those employed through labour brokers.

The draft amendment bill to the Labour Relations Act that is on the table at Nedlac, but is not yet public, does not ban labour brokers as Cosatu has demanded.

Instead, it contains a provision that anyone employed through a labour broker in the same job for more than six months, will by default become an employee of the client and be entitled to full rights under the Labour Relations Act.

The draft is a significant shift in the government's position. In its initial proposals published in 2010, it proposed the outright banning of labour brokers.

An impact assessment study commissioned by the Cabinet at the time issued a dire warning that banning brokers — or temporary employment services — would raise labour costs, reduce employment and risk outlawing a major form of job creation. The study said more than 900000 jobs had emanated from labour brokers since 1995.

Cosatu's KwaZulu-Natal secretary Zet Luzipho was first off the mark yesterday to announce the federation's intention to strike.

National spokesman for the federation Patrick Craven later confirmed a strike would go ahead on March 7 and that the Nedlac talks had reached "deadlock".

The federation last year applied to Nedlac for permission for the strike under section 77 of the Labour Relations Act but delayed its action due to the negotiations.

Mr Luzipo said Cosatu's leadership would convene on February 5 to finalise plans for "massive demonstrations and pickets across a number of workplaces" in KwaZulu-Natal to generate momentum towards the national strike.

"We fully support the call for a national stayaway, particularly to demand an end to labour brokerage. It is our view that labour brokers are nothing else but elements that suck the maximum of blood from the working people.

"Our freedom remains hollow as long as we have not been able to deal with the issue of labour brokers," he said.

The other bills are the Employment Equity Amendment Bill, the Basic Conditions of Employment Amendment Bill, and the Public Employment Services Bill.

The government's representative at Nedlac, the Department of Labour's collective bargaining manager Thembinkosi Mkalipi, said yesterday work was close to conclusion on the Labour Relations Act and the Basic Conditions of Employment Act amendments and the bills would be sent to the Cabinet at the end of the month.

Mr Mkalipi would not discuss the contents of the bills or comment on the deadlock over labour brokers. He said an announcement would be made by Labour Minister Mildred Oliphant when the Nedlac processes ended.

Business Unity SA (Busa) too was reluctant to talk about the bills as "the Nedlac negotiations process has not yet been completed and further meetings are planned". There were no new bills yet and that there remained "significant areas of disagreement".

Without elaborating, Busa said in a statement it believed that "the proposed labour law amendments will have a negative impact on employment, at the very time when for both internal and external reasons the country should be focused on growth and job creation".